GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Dr.Gadi Vijaya Kumar, (SO-3), the then I/c Director of Insurance Medical Services(Now retired), Andhra Pradesh, Vijayawada –Departmental proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 – Articles of Charges – Issued.

LABOUR, FACTORIES, BOILERS AND IMS (IMS&VIG) DEPARTMENT

G.O.Rt.No.319 **Dated:24.08.2022**

Read the following:-

1. Interim Enquiry report from the Director General, Anti-Corruption Bureau, A.P., Vijayawada, Rc.No.51/RE-CIU/2020, dt:16.12.2022.
2. Govt. Memo. No.1633065/IMS&VIG/A1/2019, LFB&IMS Department Dt: 02.06. 2022.
3. From Director General, ACB, Lr.Rc.No.51/RE-CIU/2020, Dt:15.07.2022.
4. G.O.Ms.No.30, LFB &IMS (IMS & VIG) Dept., Dt.24.08.2022.

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ORDER:

In pursuance of the sanction accorded by the Government in the reference 4th read above it is proposed to hold an inquiry against Dr.Gadi Vijaya Kumar, (SO-3), the then I/c Director of Insurance Medical Services (Now retired), Andhra Pradesh, Vijayawada in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed Statement of Articles of Charges(Annexure-I). A statement of imputations of misconduct or misbehaviour on which action is proposed to be taken against him is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the Articles of charges are proposed to be sustained are also enclosed (Annexure– III&IV).

3. Dr.Gadi Vijaya Kumar, (SO-3), the then I/c Director of Insurance Medical Services (Now retired), Andhra Pradesh, Vijayawada is directed to submit within 10 days of the receipt of this Government Order a written statement of his defence and also to state whether he desires to be heard in person.

4. Dr.Gadi Vijaya Kumar, (SO-3), the then I/c Director of Insurance Medical Services (Now retired), Andhra Pradesh, Vijayawada is informed that an Inquiry will be held only in respect of those articles of charges are not admitted. He should therefore, specifically admit or deny the each article of charge.

(P.T.O)

5. Dr.Gadi Vijaya Kumar, (SO-3), the then I/c Director of Insurance Medical Services (Now retired), Andhra Pradesh, Vijayawada is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, or does not appear in person before the Inquiry Authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (CCA) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte.

6. Dr.Gadi Vijaya Kumar, (SO-3), the then I/c Director of Insurance Medical Services (Now retired), Andhra Pradesh, Vijayawada is invited to Rule 24 A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. Dr.Gadi Vijaya Kumar, (SO-3), the then I/c Director of Insurance Medical Services (Now retired), Andhra Pradesh, Vijayawada is specifically informed, that this order does not preclude the disciplinary authority to frame fresh charges, if any other irregularities are noticed during the course of disciplinary action.

8. The receipt of this Government Order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Dr.Gadi Vijaya Kumar, (SO-3), the then I/c Director of Insurance Medical Services (Now retired), Andhra Pradesh, Vijayawada **through** the Director, Insurance Medical Services, Andhra Pradesh, Vijayawada.

Copy to:

The Director, Insurance Medical Services, Andhra Pradesh, Vijayawada with a request to serve the Articles of charge on the individual and furnish the dated ACK. of served copy for record.

The Director General, ACB, Andhra Pradesh., Vijayawada.

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE – I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST DR GADI VIJAYA KUMAR (SO-3), (RETIRED ON 30.04.2020), THE THEN I/C. DIRECTOR, IMS, A.P., VIJAYAWADA. (FROM 02.11.2017 TO 07.05.2019).

Dr Gadi Vijay Kumar S/o. Veeranna, 61 yrs, the then I/C Director, IMS, AP, Vijayawada is a native of Kakinada, R/o. 18-13-16, Krishna Nagar, Rajahmundry, East Godavari District. He joined the Government Service of Andhra Pradesh Employees state Insurance Services on 14.02.1987 as Civil Assistant Surgeon (CAS) at ESI Hospital, Rajahmundry, E.G. District and worked up to 27.07.1997. Later he got a promotion as Civil Surgeon Specialist on 28.07.1997 and he was posted at ESI Hospital, Rajahmundry. On.25.01.2013, he got his promotion as Special Grade Civil Surgeon and worked at ESI Hospital, Rajahmundry up to 01.11.2017. Later, he posted to Directorate, IMS, AP, Vijayawada as an In-charge Director, IMS, AP., Vijayawada and worked from 02.11.2017 to 08.05.2019 and now he Retired from his service on 30.04.2020. While working as In-charge Director, IMS, AP, Vijayawada Dr Gadi Vijay Kumar has committed the following grave misconduct in as much as. He is here-in-after referred to as the retired Government Servant.

CHARGE-1:

That the Government officer Dr G. Vijay Kumar, the then Director, IMS, AP (02.11.2017 to 07.05.2019) failed to review the Annual operation and Maintenance Contract (AMC) of Sewage Treatment Plant at ESI Diagnostic Centre, Adoni though the then in-charge Civil Surgeon Specialist, Diagnostic Centre, Adoni wrote a letter to him that the purpose of Sewage Treatment Plant is not served and requested to take the necessary action as the Diagnostic Centre was shifted to ESI Dispensary at West Adoni on 11.10.2017.

CHARGE-2:

That the Government officer Dr G. Vijay Kumar, the then Director, IMS, AP (02.11.2017 to 07.05.2019) paid three-quarters charges of Rs. 25,64,730/- to M/s. Jalam Environment Pvt. Ltd., Hyderabad up to 30.11.2018, though the Diagnostic Centre, Adoni was shifted to ESI Dispensary, West Adoni on 11.10.2017 and he caused an estimated loss of Rs.23,39,730/- to the Govt. Exchequer.

Thus, the Government Servant Dr Gadi Vijay Kumar S/o. Veeranna, the then I/C Director (Now retired), IMS, A.P., Vijayawada by his above-mentioned act has exhibited a lack of integrity, devotion to duty and conduct unbecoming of Government Servant and thereby contravened Rule No. 3(1) (2) of APCS (Conduct) Rules 1964 r/w. Rule 9 of the Revised Pension Rules 1980.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST DR GADI VIJAYA KUMAR (SO-3) S/O. VEERANNA THE THEN I/C. DIRECTOR, IMS, A.P., VIJAYAWADA. (FROM 02.11.2017 TO 07.05.2019).

Dr Gadi Vijay Kumar S/o. Veeranna, 61 yrs, the then I/C Director, IMS, AP, Vijayawada is a native of Kakinada, R/o. 18-13-16, Krishna Nagar, Rajahmundry, East Godavari District. He joined the Government Service of Andhra Pradesh Employees state Insurance Services on 14.02.1987 as Civil Assistant Surgeon (CAS) at ESI Hospital, Rajahmundry, E.G. District and worked up to 27.07.1997. Later he got a promotion as Civil Surgeon Specialist on 28.07.1997 and he was posted at ESI Hospital, Rajahmundry. On.25.01.2013 he got his promotion as Special Grade Civil Surgeon and worked at ESI Hospital, Rajahmundry up to 01.11.2017. Later, he posted to Directorate, IMS, AP, Vijayawada as an I/C Director and worked as In-charge Director, IMS, AP., Vijayawada from 02.11.2017 to 08.05.2019 and now he Retired from his service on 30.04.2020. While working as In-charge Director, IMS, AP, Vijayawada Dr Gadi Vijay Kumar S/o. Veeranna has committed the following grave misconduct in as much as. He is here-in-after referred to as the Retired Government Servant.

BRIEF FACTS:

The Bureau had conducted Regular Enquiry concerning the entrustment of the work of installation and maintenance of Sewerage Treatment Plants for ESI Hospitals at Tirupathi, Vijayawada, Adoni and Rajahmundry vide 1). Vigilance Report No.01 (C.No.2982N&E/Sec-II/D2/2019-1,2&836/DGN&E/Sec.II/2019, dtd.03.01.2020, 2) Memo No.967594/IMS&VIG/A2/2019, dtd.17.03.2020 of the Principal Secretary, Labour Factories, Boilers (IMS &VIG) IMS Department, Govt., of Andhra Pradesh without following procedures laid down for engaging the contractor through various orders of Govt. and also violated the modalities prescribed for such installations through G.O.Rt.No.683, LET&F Dept., Dt.24.07.2013 and submitted the interim enquiry report to the Government on 16.12.2021.

During the enquiry, With regard to the allegation made against the Government Servants collected the documents and witnesses were secured examined and recorded their statements and the following facts were revealed during the course of enquiry.

Whereas, in the year 2013, the then Director, IMS, AP, Hyderabad addressed a letter to Government (vide Lr. Rc. No.5880/CDS/2013, dt.17.04.2013) stating that hospitals have several toxic pathogenic bacteria, toxic chemical wastes which when released into Municipal water increase the probability of growth of highly anti-biotic bacteria, at present, there are methods of collection of solid waste with bio-medical

waste bags and no methods for treatment for liquid waste. There is a lack of safe biomedical waste disposable particles and hospital wastewater, which is proving to be hazardous. In order to segregate between solid, liquid and chemical biomedical wastes, hospital wastewater, needles and other hazardous wastes, which are simply getting diverted into a public drain which is dangerous, a Sewage Treatment Plant is essential for segregation and bio-degradation. He also stated that there will be no burden on the state exchequer and this project is in the process of implementation in the Medical and Health Department. Ex. Gandhi Hospital and Osmania Medical College and approved by the pollution control board. The then Director, IMS requested to issue permission to set up Sewage Treatment Plants at ESI Hospitals in the state. On that, the Government accorded permission to the Director of Insurance Medical Services, A.P., Hyderabad to set up Sewage Treatment Plants (designing, construction and installation) at ESI Hospitals in the state, subject to not seeking any funds from the State Government vide G.O.Rt.No.683, Dt. 24.07.2013 of LET&F (IMS) Department. The above G.O. was issued with the concurrence of the Finance (Expr.LET&F) Department vide their U.O.No.18471/102/EXPRIET&F/13, Dt..16.07.2013).

Based on this, the then Director IMS, AP, Hyderabad Dr K.Malleswara Rao, (Now Retired) issued separate work orders to M/s. Jalam Environment Pvt. Ltd., Hyderabad for Design, construction and installation of sewage treatment plants at ESI hospitals **Vijayawada** and **Rajahmundry** Vide Rc. No.5880/CDS1/2013-1, Date.18.10.2013 with terms and conditions and the total value of work is Rs. 1,85,60,000/- each.

Subsequently, on **13.02.2014, the LET & F Department issued G.O.Rt.No.340** and accorded permission to the Director, IMS, AP, Hyderabad to set up Sewerage Treatment Plants **at ESI Diagnostic Centers, Nizamabad, Jeedimetla and Adoni instead of ESI Hospitals Visakhapatnam, Tirupathi and Sanath Nagar at Hyderabad** in the state. Accordingly, the Director, IMS, AP, Hyderabad had issued a work order vide Rc. No.5880/CDS1/2013, Dt.18.02.2014 to M/s. Jalam Environment Pvt. Ltd., Hyderabad for installation of Sewerage Treatment Plant at ESI-Diagnostic Centre, Adoni.

After completion of set up and installation of the STPs, the then Director, IMS, AP, Hyderabad (United AP) issued Annual Maintenance Contract Order to M/s. Jalam Environment Pvt., Ltd., for undertaking the work of operation and maintenance of STPs at ESI hospitals Vijayawada, Rajahmundry and ESI Diagnostic centre Adoni for a period of one year, w.e.f. 1-6-2014 to 31.05.2015, vide Rc. No.5880/CDS1/2013-AMC, dated 30.05.2014. The terms and conditions of the contract are mentioned as 1) The contract will be extended for a further one year, based on the satisfactory performance of the firm, 2) The firm should provide 2 to 3 engineers to work, round the clock, at each plant, on a shift basis, 3) Repairs and maintenance of all the equipment, Chemicals and materials required are to be provided by the firm and 4) Cost of

operation and maintenance charge at each centre is Rs.2,30,000/- per month i.e., Rs.6,90,000/- for all three Centers will be paid.

As per the AP State Government and ESIC purchase procedure guidelines, when the value of goods and services is more than one lakh rupees, the procurement shall be made through e-procurement vide G.O.Ms.No.258 of Finance (TFR) Dept., Dt.20.09.2013, G.O.Ms.No.2, of Finance (Works & Projects-F7) Department, Dt.03.02.14 and G.O.Ms.No.40 of Finance (TFR) Dept., Dt.14.02.2014.

As per the ESIC purchase procedure guidelines (In column No. 3.2 about sanctioning authority):- All Equipments, shall be purchased with the prior sanction of the competent authority as per the delegation of power circulated. For Equipment with unit cost up to Rs. 15 Lakhs, the sanctioning authority will be Director/Medical Superintendent as the case may be. Equipment costing more than Rs. 15 Lakhs sanction will be obtained from ESIC Corporate Office.

CHARGE-1:

That the Retired Government officer Dr G. Vijay Kumar, the then Director, IMS, AP (02.11.2017 to 07.05.2019) did not conduct a review of the Annual operation and Maintenance Contract (AMC) of Sewage Treatment Plant at ESI Diagnostic Centre, Adoni though the then in-charge Civil Surgeon Specialist, Diagnostic Centre, Adoni wrote a letter to him that the purpose of Sewage Treatment Plant is not served and requested to take the necessary action as the Diagnostic Centre was shifted to ESI Dispensary at West Adoni on 11.10.2017.

During the enquiry, it is revealed that the ESI Diagnostic Centre, Adoni was shifted to ESI Dispensary at West Adoni on 11.10.2017 as the Diagnostic Centre was in a dilapidated condition which is in the distance 3 km from old place vide proceedings in Rc. No.5829/BLR/2015, dated 08.08.2017. But Sewage Treatment Plant is being continued at the same place, though the Sewage Treatment Plant was not being used for treating Biomedical Liquid Waste since 11.10.2017. Later, on the request of the agency, Dr G.Vijay Kumar, issued the order to restore the power supply to the Plant, vide Rc. NO.1311/CDS1/2015, dated 27.11.2017 as it is costly equipment and it needs continuous power supply in terms of MoU. Based on that as per the terms of MoU, power supply had been provided to the plant and the quarterly service reports of M/s Jalam Environment Pvt., Ltd., forwarded by the Dr K. Rangaswami, the then in-charge Civil Surgeon Specialist, Diagnostic Centre, Adoni with his remarks as "plant worked satisfactorily for the above period" and after a lapse of one year, on 27.11.2018 he addressed a letter to Dr G. Vijay Kumar, the then Director, IMS, AP and Communicated that the Sewage Treatment Plant services are not being utilized to the dispensary and requested to take the necessary action as the Diagnostic Centre was shifted to ESI Dispensary at West Adoni.

During the enquiry examined the following witnesses and they revealed the facts as follows:

1) Dr S.B.R.Kumar Lagahimsetti, I.R.S., S/o. L.Mallikharjuna Rao, 40 years, Director of Insurance Medical Services, AP, Vijayawada stated that Dr G.Vijay Kumar (The then Director, Now retired) had worked as 1/c Director, IMS, AP, Vijayawada from 02.11.2017 to 07.05.2019 and the Diagnostic Centre, Adoni was shifted to ESI Dispensary, West Adoni on 11.10.2017 vide Rc. No.5829/BLR/2015, dt.08.08.2017 as it was in dilapidated condition. Even though the main purpose of STP at Diagnostic Centre, Adoni is not served, the STP had been continuing in old premises by the agency for the good condition of machinery and on the request of the agency, Dr G.Vijay Kumar, the then director, IMS, AP, Vijayawada had issued an order to restore the power supply to the Plant, vide Rc. No.1311/CDS1/2015, dated: 27.11.2017.

Though the plant is not running since October 2017 at old premises, without surviving the main purpose of the STP and a letter vide Rc. No.225/ESIDC/AND/2018, 27.11.2018 addressed to the then Director Dr G.Vijay Kumar, IMS, Vijayawada to take necessary action, Dr G.Vijay Kumar did not conduct the review in the issue of the Annual operation and Maintenance Contract (AMC) of Sewage Treatment Plant at ESI Diagnostic Centre, Adoni to M/s. Jalam Environment Pvt., Ltd., Hyderabad didn't amend the terms and conditions to reduce the maintenance charges.

2) Smt. Battula Anjani Devi, W/o Venkata Rao Dara, 58 years, Superintendent, Account Section, O/o DIMS, Vijayawada stated that Dr G.Vijay Kumar (The then Director, Now retired) had worked as I/c Director, IMS, AP, Vijayawada from 02.11.2017 to 07.05.2019 and the Diagnostic Centre, Adoni was shifted to ESI Dispensary, West Adoni on 11.10.2017 vide Rc. No.5829/BLR/2015, dt.08.08.2017 as it was in dilapidated condition. Even though the main purpose of STP at Diagnostic Centre, Adoni is not served, the STP had been continuing in old premises by the agency for the good condition of machinery and on the request of the agency, Dr G.Vijay Kumar, the then director, IMS, AP, Vijayawada had issued an order to restore the power supply to the Plant, vide Rc. No.1311/CDS1/2015, dated: 27.11.2017.

Though the plant is not running since October 2017 at old premises, without surviving the main purpose of the STP and a letter vide Rc. No.225/ESIDC/AND/2018, 27.11.2018 addressed to the then Director Dr G.Vijay Kumar, IMS, Vijayawada to take necessary action, Dr G.Vijay Kumar did not conduct the review in the issue of the Annual operation and Maintenance Contract (AMC) of Sewage Treatment Plant at ESI Diagnostic Centre, Adoni to M/s. Jalam Environment Pvt., Ltd., Hyderabad didn't amend the terms and conditions to reduce the maintenance charges.

3) Sri Yerramala Ajith Babu, S/o Y.Sarveswara Rao (Late), Age 27 Years, Junior Assistant (CDS Section, O/o. DIMS, AP, Vijayawada) he stated that he has been working as Junior Assistant in the CDS section since 01.01.2021 and Dr G.Vijay Kumar (the then Director, Now retired) had worked as I/c Director, IMS, AP, Vijayawada from 02.11.2017 to 07.05.2019 and the Diagnostic Centre, Adoni was shifted to ESI Dispensary, West Adoni on 11.10.2017 vide Rc. No.5829/BLR/2015, dt.08.08.2017 as it was in dilapidated condition. Even though the main purpose of STP at Diagnostic Centre, Adoni is not served, the STP had been continuing in old premises by the agency for the good condition of machinery and on the request of the agency, Dr G.Vijay Kumar, the then director, IMS, AP, Vijayawada had issued an order to restore the power supply to the Plant, vide Rc. No.1311/CDS1/2015, dated: 27.11.2017.

Though the plant is not running since October 2017 at old premises, without surviving the main purpose of the STP and a letter vide Rc. No.225/ESIDC/AND/2018, 27.11.2018 addressed to the then Director Dr G.Vijay Kumar, IMS, Vijayawada to take necessary action, Dr G.Vijay Kumar did not conduct the review in the issue of the Annual operation and Maintenance Contract (AMC) of Sewage Treatment Plant at ESI Diagnostic Centre, Adoni to M/s. Jalam Environment Pvt., Ltd., Hyderabad didn't amend the terms and conditions to reduce the maintenance charges.

4) Dr Kondikari Ranga Swamy, S/o Ranganna, 59 years, I/C Civil Surgeon, ESI Diagnostic Centre, Adoni, Kurnool, Kurnool District stated that the Diagnostic Centre, Adoni was shifted to ESI Dispensary, West Adoni on 11.10.2017 vide Rc. No.5829/BLR/2015, dt.08.08.2017 as it was in dilapidated condition. Even though the main purpose of STP at Diagnostic Centre, Adoni is not being served, the STP is being continued on old premises by the agency for the good condition of the machinery and on the request of the agency and as per the order of Dr G.Vijay Kumar, the then director, IMS, AP, Vijayawada the power supply is being continued to the STP vide Rc. No.1311/CDS1/2015, dated: 27.11.2017.

Though the plant is not running since October 2017 at old premises, without surviving the main purpose of the STP and a letter vide Rc. No.225/ESIDC/AND/2018, 27.11.2018 addressed to the then Director Dr G.Vijay Kumar, IMS, Vijayawada to take necessary action, Dr G.Vijay Kumar did not conduct the review in the issue of the Annual operation and Maintenance Contract (AMC) of Sewage Treatment Plant at ESI Diagnostic Centre, Adoni to M/s. Jalam Environment Pvt., Ltd., Hyderabad didn't amend the terms and conditions to reduce the charges for maintenance.

5) Sri Gudapati Murali Krishna, S/o.Veeranajaneyulu, 67 years, Director of M/s. Jalam Environment Pvt., Ltd., AC Guards, Hyderabad stated that he is a

Managing Director of M/s. Jalam Environments Private Limited, Hyderabad and the Diagnostic Centre, Adoni was shifted to ESI Dispensary (New premises) West Adoni on 11.10.2017 vide Rc. No.5829/BLR/2015, dt.08.08.2017 as it was in dilapidated condition. Further, on his request, Dr G. Vijay Kumar, the then Director (now retired), IMS, AP, Vijayawada had issued the order to continue the power supply to the STP as per the terms and conditions vide Rc. No.1311/CDS1/2015, dated: 27.11.2017 as it is costly equipment and it needs continuous power supply in terms of MoU, similarly the power supply is being continued till now and there was not amended the terms and conditions and maintenance charges by the DIMS and paid the charged up 30.11.2018.

CHARGE-2:

That the Retired Government officer Dr G. Vijay Kumar, the then Director, IMS, AP (02.11.2017 to 07.05.2019) paid three-quarters charges of Rs.25,64,730/- to M/s. Jalam Environment Pvt. Ltd., Hyderabad up to 30.11.2018, though the Diagnostic Centre, Adoni was shifted to ESI Dispensary, West Adoni on 11.10.2017 and he caused an estimated loss of Rs.23,39,730/- to the Govt. Exchequer.

During the enquiry, it is revealed that though the ESI, Diagnostic Centre, Adoni shifted to the premises of the ESI Dispensary, West Adoni, the Sewage Treatment Plant is being continued at the same old place and Power supply is being provided to the Plant as per the Terms and conditions of the AMC and paid the Maintenance charges up to 30.11.2018.

The Sewerage Treatment Plant at ESI Diagnostic Centre, Adoni Which was installed by M/s Jalam Environmental Pvt., Ltd., during the year 2014 was physically inspected along with Analyst Gr-1 Pollution Control Board, Kurnool and observed that the STP was not in working condition and it was being maintained by M/s Jalam Environment Pvt., Ltd., regularly for the good condition of the machinery only. The Analyst Gr-I, AP Pollution Control Board, Kurnool inspected the plant and he opined that the STP was not in operation for a long time, only the general maintenance of the machinery and plant operators were maintaining Bio-reactors membrane monthly once by using tanker water and the premises of the plant was found with full bushes and not in an orderly manner. Further, he opined that an amount of Rs.25,000/- (for operators, tank water and other chemicals etc.,) is sufficient for the above-said maintenance of the STP per month.

During the tenure of **Dr G. Vijay Kumar**, the then Director (now retired), IMS, AP (worked from 02.11.2017 to 07.05.2019) did not conduct a review on the terms and conditions and maintenance charges in the AMC of STP, ESI Diagnostic Centre, Adoni up to 30.11.2018. In the above period, out of four quarters, three quarters (01.12.2017 to 28.02.2018, 01.06.2018 to 31.08.2018 and 01.09.2018 to 30.11.2018) bills amount

i.e. 3 x Rs. 8,54,910/- = Rs. 25,64,730/- was paid by Dr G. Vijay Kumar(SO-3), the then Director on 05.07.2018, 17.09.2018 and 05.04.2019.

If Dr G. Vijay Kumar (SO-3), the then Director reviewed and modified the terms and conditions of AMC with M/s. Jalam Environment Pvt. Ltd. for Adoni STP which was not functioning since October 2017 due to the shifting of the Diagnostic Centre to ESI Dispensary at West Adoni and if he had paid three quarters maintenance charges of Rs. 2,25,000/- only (Rs.25 000/- X 9 months= Rs.2,25,000/-) for general maintenance of the machinery to keep it in good condition, he would have saved an amount of Rs.23,39,730/-. But he failed to review the AMC conditions and paid full three quarter (01.12.2017 to 28.02.2018, 01.06.2018 to 31.08.2018 and 01.09.2018 to 30.11.2018) bills amount Rs.25,64,730/- (3 x 8,54,910 = 25,64,730/-) as per the existing AMC conditions of payments and caused loss to the Government Exchequer to an amount of Rs.23,39,730/- (Rs. 25,64,730 - Rs.2,25,000 = Rs.23,39,7301-).

During the enquiry examined the following witnesses and they revealed the facts as follows:

1) Dr S.B.R.Kumar Lagahimsetti, I.R.S., S/o. L.Mallikharjuna Rao, 40 years, Director of Insurance Medical Services, AR Vijayawada stated that Dr G.Vijay Kumar (The then Director, Now retired) had Paid the payments of maintenance charges of the STP, ESI Diagnostic Centre, Adoni up to 30.11.2018, without conducting the review on the AMC to change the maintenance charges and terms & conditions of the STP, Adoni though the plant is not used to treat the biomedical liquid wastage at old premises.
2) Smt. Battula Anjani Devi, W/o Venkata Rao Dara, 58 years, Superintendent, Account Section, 0/0 DIMS, Vijayawada stated that Dr G.Vijay Kumar (The then Director, Now retired) had Paid the payments of maintenance charges of the STP, ESI Diagnostic Centre, Adoni up to 30.11.2018, without conducting the review on the AMC to change the maintenance charges and terms & conditions of the STP, Adoni though the plant is not used to treat the biomedical liquid wastage at old premises.
3) Sri Yerramala Ajith Babu, S/o Y.SarveswaraRao (Late), Age 27 Years, Junior Assistant (CDS Section, 0/o. DIMS, AP, Vijayawada) stated that Dr G.Vijay Kumar (The then Director, Now retired) had Paid the payments of maintenance charges of the STP, ESI Diagnostic Centre, Adoni up to 30.11.2018, without conducting the review on the AMC to change the maintenance charges and terms & conditions of the STP, Adoni though the plant is being not used to treat the biomedical liquid wastage at old premises.
4) Sri Annavarapu Krupakanth, S/o.A.Ramesh Babu, Age 31 Years, Senior Assistant (Accounts Section, 0/o. DIMS, AP, Vijayawada) Vijayawada stated that Dr G.Vijay Kumar (The then Director, Now retired) had Paid

the payments of maintenance charges of the STP, ESI Diagnostic Centre, Adoni up to 30.11.2018.

5) Sri Jawalkar Ganesh Kumar, S/o. Jagannadha Rao (late), 36yrs, Analyst Grade-I, A.P. Pollution Control Board, Kurnool district stated that during the inspection of the STP, ESI Diagnostic centre, Adoni was inspected by him and it came to know that the STP was not in operation for a long time, only the general maintenance of the machinery (Bio-reactors membrane) is being continued for monthly once by using tanker water by the plant operators and opined that an amount of Rs.25,000/- (for operators, tank water and other chemicals etc.,) is sufficient for the above-said maintenance of the STP per month.

6) Sri Gudapati Murali Krishna, S/o. Veeranjaneyulu, 67 years, Director of M/s. Jalam Environment Pvt., Ltd., AC Guards, Hyderabad stated that he is a Managing Director of M/s. Jalam Environment Private Limited, Hyderabad and the Diagnostic Centre, Adoni was shifted to ESI Dispensary (New premises), West Adoni on 11.10.2017 vide Rc. No.5829/BLR/2015, dt.08.08.2017 as it was in dilapidated condition. Further, on his request, Dr G. Vijay Kumar, the then Director (now retired), IMS, AP, Vijayawada had issued the order to continue the power supply to the STP as per the terms and conditions vide Rc. No.1311/CDS1/2015, dated: 27.11.2017 as it is costly equipment and it needs continuous power supply in terms of MoU, similarly the electrical power supply is being continued till now and there was not amended the terms and conditions and maintenance charges by the DIMS and paid the charged up 30.11.2018.

Thus, the Government Servant Dr Gadi Vijay Kumar S/o. Veeranna, the then In-charge Director, IMS, AP, Vijayawada, by his above-mentioned acts has exhibited a lack of integrity, devotion to duty and conduct unbecoming of Government Servant and thereby contravened Rule No. 3(1) (2) of APCS (Conduct) Rules 1964 r/w. Rule 9 of the Revised Pension Rules 1980.

Thus, the Retired Government Servant, therefore, rendered himself liable for Departmental Action for Major Penalty.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE – III

LIST OF WITNESSES IN SUPPORT OF CHARGES PROPOSED TO BE SUSTAINED

1.	Dr.S.B.R.Kumar Lagahimsetti, I.R.S., S/o. L.Mallikharjuna Rao, 40 years, Director of Insurance Medical Services, AP, Vijayawada, Enikepadu, Vijayawada – 520008, R/o. Guntur.	To speak to the facts about the establishment of the Sewage Treatment Plants at ESI Hospitals and their maintenance & payment particulars and irregularities which were done by the then In-charge Directors of ESI, AP. & etc., facts.
2.	Sri Namburi Subba Rao, S/o Veera Bhadraiah, 54 years, Office Superintendent (Planning & RF Sections), O/o DIMS, Vijayawada. R/o SF-11, HRT Sai Nirman, Bhavanipuram, Vijayawada.	To speak to the facts about the payment particulars towards Sewage Treatment Plants at ESI Hospitals Tirupati, Rajahmundry, Vijayawada and Diagnostic centre Adoni, Kurnool District, etc., facts.
3.	Smt. Battula Anjani Devi, W/o Venkata Rao Dara, 58 years, Superintendent, Account Section, O/o DIMS, Vijayawada, R/o Yenikepadu, 100 Ft road, Kamineni Hospital Road, Vijayawada.	To speak to the facts about the establishment & payment particulars towards Sewage Treatment Plants at ESI Hospitals Tirupati, Rajahmundry, Vijayawada and Diagnostic centre Adoni, Kurnool District, etc., facts.
4.	Sri Yerramala Ajith Babu, S/o. Y.SarveswaraRao (Late), Age 27 Years, Junior Assistant (CDS Section, O/o.DIMS, AP, Vijayawada) Resident of D.No.53-1-185, Arul Nagar, Vijayawada.	To speak to the facts about the establishment, maintenance & payment particulars towards Sewage Treatment Plants at ESI Hospitals Tirupati, Rajahmundry, Vijayawada and Diagnostic centre Adoni, Kurnool District, etc., facts.
5.	Sri Annavarapu Krupakanth, S/o A.Ramesh Babu, Age 31 Years, Senior Assistant (Accounts Section, O/o. DIMS, AP, Vijayawada) Resident of 19-13/6-39A, Old Raja Rajeswari Pet, Vijayawada.	To speak to the facts about the establishment & payment particulars towards Sewage Treatment Plants at ESI Hospitals Tirupati, Rajahmundry, Vijayawada and Diagnostic centre Adoni, Kurnool District, etc., facts.
6.	Sri S.Shaikshavalli, S/o S.Mastanvali, 27 years, Plant Operator, M/s. Jalam Environment Pvt., Ltd., STP at Diagnostic Centre, Adoni, R/o. H.No.21/1/43, Mahatma Gandhi Nagar, Behind ESI Hospital, Adoni, Kurnool District.	To speak to the facts of the Sewage Treatment Plants at ESI Diagnostic centre Adoni, Kurnool District maintenance of the STP etc., facts.
7.	Sri Jawalkar Ganesh Kumar, S/o. Jagannadha Rao (late), 36yrs, Analyst Grade-I, A.P. Pollution Control Board, Kurnool, R/o. 79-143, C/o. K.Jayaram Reddy, Krishna Nagar, Kurnool.	To speak to the facts of the Sewage Treatment Plants at ESI Diagnostic centre Adoni, Kurnool District, Maintenance of the STP, Adoni and expenditure towards general maintenance of the STP etc., facts.

8.	Dr Kondikari Ranga Swamy, S/o Ranganna, 59 years, I/C Civil Surgeon, ESI Diagnostic Centre, Adoni, Kurnool, R/o 21/44/3A, SKD Colony, 3rd road, near Ayyappa temple, Vysya Hostel, Adoni, Kurnool District.	To speak to the facts of the establishment of the Sewage Treatment Plants at ESI Diagnostic Centre, Adoni, Kurnool District and Shifting of the Diagnostic centre to ESI Dispensary, West Adoni and Maintenance of the STP, Adoni etc., facts.
9.	Sri Gudapati Murali Krishna, S/o. Veeranajaneyulu, 67 years, Director of M/s. Jalam Environment Pvt., Ltd., AC Guards, Hyderabad. R/o. Plot No.153, Santanagara, Kukatpalli, Hyderabad.	To speak to the facts of the establishment of the Sewage Treatment Plants at ESI Diagnostic Centre, Adoni etc., facts.
10.	Sri A.Suresh Babu, Addl. Supdt. of Police, CIU, ACB, AP, Vijayawada.	To speak to the facts of the Regular Enquiry on the allegation of the establishment of the Sewage Treatment Plants at ESI Hospitals & Diagnostic Centre, Adoni and their maintenance & payment particulars and irregularities which were done by the then In-charge Director Dr Gadi Vijaya Kumar of ESI, AP, Vijayawada & etc., facts.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE – IV

LIST OF DOCUMENTS IN SUPPORT OF CHARGES PROPOSED TO BE SUSTAINED

Sl.No.	Document
1.	Copy of the **G.O.Rt.No.683,** Dt.24.07.2013 of LET&F (IMS) Dept., of Govt. of AP for issuing permission to the Director, IMS, AP, Hyderabad (Combined state) for installation of Sewage Treatment Plants at ESI Hospital in the state of AP.
2.	Copy of **G.O.Rt.No.340,** Dt.13.02.2014 of LET&F (IMS) Dept., Andhra Pradesh to accord permission to the Director, IMS, AP, Hyderabad (Combined state) to set up Sewage Treatment Plants at ESI Diagnostic Centres Nizamabad, Jeedimetla and Adoni instead of ESI Hospitals Visakhapatnam, Tirupati and Sanathnagar in the state of AP.
3.	Copy of the **G.O.Ms.No.258,** Dated 20.09.2013 of Finance (TFR) Department, Government of AP, copy of G.O.Ms.No.2, dated.03.02.2014 of Finance (Works & Projects –F7) Department, Government of AP and copy of G.O.Ms.No.40, dated.14.02.2014 of Finance (TFR) Department, Government of AP to follow the procurement process of e-Procurement when the value of goods and services is more than Rs.1 Lakh.
4.	Copies of the Work order vide Rc.No.**246/A/CDS/2017**, Dt.16.01.2017 issued by Dr.C.K.Ramesh Kumar, the then Director, IMS, AP, Vijayawada to set up Sewage Treatment Plant at ESI Hospital, Tirupati issued to M/s.Jalam Environment Pvt. Ltd., Hyderabad.
5.	Copy of the work order vide **Rc.No.1311/CDS1/2015,** dated.26.09.2017 issued by Dr.C.K.Ramesh Kumar, the then Director, IMS, AP, Vijayawada for operation and maintenance (AMC) of Sewage Treatment Plant at ESI Hospital Tirupati at a rate of Rs.2,41,500/- per month issued to M/s.Jalam Environment Pvt. Ltd., Hyderabad for a period of one-year w.e.f.01.07.2017 to 30.06.2018 and its renewals for the periods w.e.f. 01.07.2018 to 30.06.2019 (Dr Vijay Kumar) and 01.07.2019 to 30.06.2020 (Dr Vijay Kumar) with the same rate of Rs.2,41,500/- per month.
6.	Copies of the deed of agreement accepting with terms and conditions mentioned in a work order issued by the Director, IMS, AP vide Rc.No.1311/CDS1/2015, dated.26.09.2017 for operation and maintenance of Sewage Treatment Plant at ESI Hospital Tirupati for the period from 01.07.2017 to 31.06.2018 by Sri G.Murali Krishna, Director, M/s.Jalam Environment Pvt. Ltd., Hyderabad and two other deeds of agreements for the periods from 01.07.2018 to 31.06.2019 and 01.07.2019 to 31.06.2020.
7.	Copy of the total payments particulars made to M/s.Jalam Environment Pvt. Ltd., for installation and maintenance of STPs at ESI Hospitals Vijayawada, Rajahmundry, Tirupati and ESI Diagnostic Centre, Adoni by the Director, IMS, AP, Vijayawada from 02.06.2014 to 30.11.2018.
8.	Reply of the Registrar of Companies, Hyderabad, Telangana, 2nd floor, Corporate Bhavan, Thattiannaram, GSI Post, Bandalguda, Nagole, Hyderabad, 500068 regarding Certificate of incorporation, list of directors, fees payments (SRN No.B72961667, MOA, AOA and from No. MGT-7, dated.31.03.2020 of M/s.Jalam Environment Pvt. Ltd., (CIN:-U90001TG2013PTC087206).
9.	Statement of Dr.S.B.R.Kumar Lagahimsetti, I.R.S., S/o. L.Mallikharjuna Rao,

	40 years, Director of Insurance Medical Service, AP, Vijayawada, Enikepadu, Vijayawada- 520008, R/o. Guntur.
10.	Statement of Sri Namburi Subba Rao, S/o Veera Bhadraiah, 54 years, Office Superintendent (Planning & RF Sections), O/o DIMS, Vijayawada. R/o SF-11, HRT Sai Nirman, Bhavanipuram, Vijayawada.
11.	Statement of Smt. Battula Anjani Devi, W/O Venkata Rao Dara, 58 years, Superintendent, Account Section, O/o DIMS, Vijayawada, R/o Yenikepadu, 100 Ft road, Kamineni Hospital Road, Vijayawada.
12.	Statement of Sri Yerramala Ajith Babu, S/o. Y.Sarveswara Rao(Late), Age 27 years, Junior Assistant (CDS Section, O/o. DIMS, AP, Vijayawada) Resident of D.NO.53-1-185, Arul Nagar, Vijayawada.
13.	Statement of Sri Annavarapu Krupakanth, S/o. A.Ramesh Babu, Age 31 years, Senior Assistant (Account Section, O/o. DIMS, AP, Vijayawada) Resident of 19-13/6-39A, Old Raja Rajeswari Pet, Vijayawada.
14.	Statement of Sri S.Shaikshavalli, S/o S.Mastanvali, 27 years, Plant Operator, M/s. Jalam Environment Pvt., Ltd., STP at Diagnostic Centre, Adoni, R/o. H.No.21/1/43, Mahatma Gandhi Nagar, Behind ESI Hospital, Adoni, Kurnool District.
15.	Statement of Sri Jawalkar Ganesh Kumar, S/o. Jagannadha Rao (late), 36yrs, Analyst Grade-I, A.P. Pollution Control Board, Kurnool, R/o. 79-143, C/o. K.Jayaram Reddy, Krishna Nagar, Kurnool.
16.	Statement of Dr Kondikari Ranga Swamy, S/o Ranganna, 59 years, I/C Civil Surgeon, ESI Diagnostic Centre, Adoni, Kurnool, R/o 21/44/3A, SKD Colony, 3rd road, near Ayyappa temple, Vysya Hostel, Adoni, Kurnool District.
17.	Statement of Sri Gudapati Murali Krishna, S/o. Veeranajaneyulu, 67 years, Director of M/s.Jalam Environment Pvt. Ltd., AC Guards, Hyderabad. R/o. Plot No.153, Santanagara, Kukatpalli, Hyderabad.
18.	Any other document to be filed at the time of enquiry.

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SPECIAL CHIEF SECRETARY TO GOVERNMENT

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